

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,
Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM

Section 7: Rito de Tierra Amarilla,
Rio Brazos, Plaza Blanca & Rutherford,
Cañones Creek, Village of Chama

MOTION TO JOIN ADDITIONAL PARTIES DEFENDANT

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and requests the Court to join as additional parties the persons or entities named below and order them to answer the State's Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The persons or entities listed below are diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Stream System.

Derek M. Strauch CHCC-002-0004B HC 75 Box 85, Chama NM 87575
 CHCC-002-0005B

These waters belong to the public and are subject to appropriation in accordance with laws of the State of New Mexico. This Court has exclusive jurisdiction to adjudicate all claims to the right to divert, store, or use public waters of the Rio Chama Stream System.

2. The persons or entities listed above are in Section 7 of the Rio Chama Stream System, and may be diverting and using water associated with the subfile numbers listed, or may otherwise be

using or diverting surface or underground waters within Section 7 of the Rio Chama Stream System.

DATED: November 9, 2006

Respectfully submitted,

/s/ Ed Newville
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was transmitted by ACE filing to the following this 9 day of November, 2006:

Special Master Vickie L. Gabin
USDC-DCNM
P.O. Box 2384
Santa Fe, NM 87504-2384

Karla Bruner, Data Manager
1315 Sagebrush Dr. SW
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/s/ Ed Newville
Edward G. Newville